

KUNTZ, J.

FILED
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U.S. DISTRICT COURT E.D.N.Y.

★ JUL - 2 2019 ★

EAG:MEL/EMR
F. #2018R01374

BULSARA, M.J.

BROOKLYN OFFICE

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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I N D I C T M E N T

UNITED STATES OF AMERICA

- against -

ERNESTO HERNANDEZ VELASQUEZ,

Defendant.

CR 19-306
Cr. No. (T. 18, U.S.C., §§ 1591(a)(1),
1591(a)(2), 1591(b)(1), 1594(d),
1952(a)(1)(A), 1952(b)(1), 2422(a),
2428(a), 2 and 3551 et seq.; T. 21,
U.S.C., § 853(p))

----- X

THE GRAND JURY CHARGES:

COUNT ONE
(Sex Trafficking)

1. In or about and between May 2009 and July 2015, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendant ERNESTO HERNANDEZ VELASQUEZ, together with others, did knowingly and intentionally recruit, entice, harbor, transport, provide, obtain and maintain by any means a person, to wit: Jane Doe, an individual whose identity is known to the Grand Jury, in and affecting interstate and foreign commerce, and benefit, financially and by receiving something of value, from participation in a venture which engaged in such acts, knowing and in reckless disregard of the fact that means of force, threats of force, fraud and coercion, as described in Title 18, United States Code, Section 1591(e)(2), and a combination of such means would be used to cause Jane Doe to engage in one or more commercial sex acts,

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which offense was effected by means of force, threats of force, fraud and coercion, and a combination of such means.

(Title 18, United States Code, Sections 1591(a)(1), 1591(a)(2), 1591(b)(1), 2 and 3551 et seq.)

COUNT TWO

(Distribution of Proceeds of a Prostitution Business)

2. In or about and between May 2009 and July 2015, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendant ERNESTO HERNANDEZ VELASQUEZ, together with others, did knowingly and intentionally use, and cause to be used, one or more facilities in interstate and foreign commerce, to wit: one or more money wire transfer services, with intent to distribute the proceeds of an unlawful activity, to wit: a business enterprise involving prostitution offenses, in violation of the laws of the States in which they were committed and of the United States, and thereafter did knowingly and intentionally perform, attempt to perform and cause to be performed an act to distribute the proceeds of such unlawful activity.

(Title 18, United States Code, Sections 1952(a)(1)(A), 1952(b)(1), 2 and 3551 et seq.)

COUNT THREE

(Interstate Prostitution)

3. In or about and between September 2011 and July 2015, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendant ERNESTO HERNANDEZ VELASQUEZ, together with others, did knowingly

and intentionally persuade, induce, entice and coerce a person, to wit: Jane Doe, an individual whose identity is known to the Grand Jury, to travel in interstate and foreign commerce to engage in prostitution.

(Title 18, United States Code, Sections 2422(a), 2 and 3551 et seq.)

CRIMINAL FORFEITURE ALLEGATION
AS TO COUNTS ONE AND TWO

4. The United States hereby gives notice to the defendant that, upon his conviction of either of the offenses charged in Counts One and Two, the government will seek forfeiture in accordance with Title 18, United States Code, Section 1594(d), of (a) any property, real or personal, that was involved in, used, or intended to be used to commit or to facilitate the commission of such offense, and any property traceable to such property; and (b) any property, real or personal, constituting, or derived from, proceeds obtained directly or indirectly as a result of such offense, or any property traceable to such property.

5. If any of the above-described forfeitable property, as a result of any act or omission of the defendant:

- (a) cannot be located upon the exercise of due diligence;
- (b) has been transferred or sold to, or deposited with, a third party;
- (c) has been placed beyond the jurisdiction of the court;
- (d) has been substantially diminished in value; or
- (e) has been commingled with other property which cannot be divided without difficulty;

it is the intent of the United States, pursuant to Title 21, United States Code, Section 853(p), to seek forfeiture of any other property of the defendant up to the value of the forfeitable property described in this forfeiture allegation.

(Title 18, United States Code, Section 1594(d); Title 21, United States Code, Section 853(p))

CRIMINAL FORFEITURE ALLEGATION
AS TO COUNT THREE

6. The United States hereby gives notice to the defendant that, upon his conviction of the offense charged in Count Three, the government will seek forfeiture in accordance with Title 18, United States Code, Section 2428(a), which requires any person convicted of such offense to forfeit (a) any property, real or personal, that was used or intended to be used to commit or to facilitate the commission of such offense; and (b) any property, real or personal, constituting, or derived from, proceeds obtained directly or indirectly as a result of such offense.

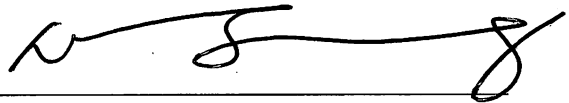
7. If any of the above-described forfeitable property, as a result of any act or omission of the defendant:

- (a) cannot be located upon the exercise of due diligence;
- (b) has been transferred or sold to, or deposited with, a third party;
- (c) has been placed beyond the jurisdiction of the court;
- (d) has been substantially diminished in value; or
- (e) has been commingled with other property which cannot be divided without difficulty;

it is the intent of the United States, pursuant to Title 21, United States Code, Section 853(p), to seek forfeiture of any other property of the defendant up to the value of the forfeitable property described in this forfeiture allegation.


(Title 18, United States Code, Section 2428(a); Title 21, United States Code, Section 853(p))

A TRUE BILL



FOREPERSON

RICHARD P. DONOGHUE
UNITED STATES ATTORNEY
EASTERN DISTRICT OF NEW YORK

BY: 
ACTING UNITED STATES ATTORNEY
PURSUANT TO 28 C.F.R. O.136

F.#: 2018R01374
FORM DBD-34
JUN. 85

No. _____

UNITED STATES DISTRICT COURT

EASTERN *District of* NEW YORK

CRIMINAL DIVISION

THE UNITED STATES OF AMERICA

vs.

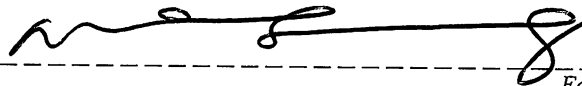
ERNESTO HERNANDEZ VELASQUEZ

Defendant.

INDICTMENT

(T. 18, U.S.C., §§ 1591(a)(1), 1591(a)(2), 1591(b)(1), 1594(d),
1952(a)(3)(A), 2422(a), 2428(a), 2 and 3551 et seq.; T. 21, U.S.C.,
§ 853(p))

A true bill.



Foreperson

Filed in open court this _____ day,

of _____ A.D. 20____

Clerk

Bail, \$ _____

Erin Reid, Assistant U.S. Attorney (718) 254-6361
Margaret Lee, Assistant U.S. Attorney (718) 254-6205